

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2016

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THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.13946 of 2016

Narayanappa V.

... Petitioner

Vs.

- 1.The Government of Tamil Nadu
Rep by the Secretary to Government,
Adi Dravidar & Tribal Welfare Department,
Fort St.George, Chennai - 600 009.
- 2.The Special Tahsildar
Adi Dravidar Welfare cum Land Acquisition Office,
Krishnagiri,
Having Office at Bangalore Main Road,
Krishnagiri District
Krishnagiri - 635 001. ... Respondents

Prayer: Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to pass orders on the petitioner's representation dated 04.11.2015 by re conveying the petitioner's property measuring 0-70-5 Hectare in the Survey No.60/5B/1, Venkatesapuram Village (Post), Hosur Taluk, Krishnagiri District, within a time frame to be fixed by this Hon'ble Court.

For Petitioner : Ms.S.Harini fr M/s. Giridhar and Sai

For Respondents : Mr.M.L.Mahendran
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner seek for a direction upon the Government namely, Secretary to Government, Adi Dravidar and Tribal Welfare Department to re-convey the lands which were acquired from the petitioner for construction of house for Adi Dravidars under the provisions of the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act, 1978.

3.Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents.

4.The petitioner's case is three fold. Firstly, on the ground that the petitioner has not been dis-possessed till date, secondly, the land in question remains un-utilized though the award came to be passed in the year 1998 and thirdly, the petitioner has not been paid compensation.

5.It is seen that the petitioner has submitted representation to the Government, whereas the competent Authority to issue notification under the said Act is the District Collector. Therefore, the petitioner has to approach the District Collector, Krishnagiri with appropriate representation.

6.Accordingly, this writ petition is disposed of giving liberty to the petitioner to file appropriate representation before the District Collector, Krishnagiri along with the copy of this order, and if the same is filed, the District Collector, Krishnagiri shall call for remarks from the second respondent and consider the petitioner's representation on merits and in accordance with law, within a period of three months from the date of receipt of the representation along with a copy of this order. No costs.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

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To

1. The District Collector
Krishnagiri

2.The Secretary to Government,
Adi Dravidar & Tribal Welfare Department,
Fort St.George, Chennai - 600 009.

3.The Special Tahsildar
Adi Dravidar Welfare cum Land Acquisition Office,
Krishnagiri, Having Office at Bangalore Main Road,
Krishnagiri District
Krishnagiri - 635 001.

1 cc to M/s. Giridhar and Sai, Advocate, Sr. 23825

1 cc to Government Pleader, Sr. 23876

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KGK (CO)

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